

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Bobby T. Sheppard,	:	Death Penalty Case
	:	
Petitioner,	:	Case No. 1:00cv493
	:	
-vs-	:	Judge Walter Herbert Rice
	:	
Margaret Bagley, Warden,	:	Magistrate Judge Merz
	:	
Respondent.	:	

**UNOPPOSED MOTION TO FILE INSTANTER PETITIONER'S REPLY IN
SUPPORT OF HIS LIMITED OBJECTIONS TO THE REPORT AND
RECOMMENDATIONS OF JUNE 1, 2004**

Petitioner hereby moves for leave to file instanter his Reply in Support of His Limited Objections to the Report and Recommendations of June 1, 2004. Petitioner believes Respondent raised new arguments in opposition to Petitioner's objections. Respondent does not oppose leave to file the reply. The reply to be filed instanter is attached hereto.

Respectfully submitted,

s/Geoffrey J. Moul

Geoffrey J. Moul (0070663)
Trial Attorney for Petitioner
Murray Murphy Moul + Basil LLP
326 South High Street, Suite 400
Columbus, OH 43215
Telephone: (614) 469-0400
Facsimile: (614) 469-0402
E-mail: moul@mmb.com

Timothy R. Payne (0069329)
Assistant State Public Defender
Office of the Ohio Public Defender
8 E. Long Street, 11th Floor
Columbus, Ohio 43215
Telephone: (614) 466-5394

Counsel for Petitioner Bobby Sheppard

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Charles L. Wille
Assistant Attorney General
Capital Crimes Section
30 E. Broad Street, 26th Floor
Columbus, OH 43215

s/Geoffrey J. Moul_____